

**4-989. Order appointing kinship guardian by consent (paternity not admitted).**

*[Section 40-10B-8 NMSA 1978]*

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_, [Petitioner] [Petitioners]

v.

No. \_\_\_\_\_

\_\_\_\_\_, Respondent

IN THE MATTER OF THE GUARDIANSHIP

OF \_\_\_\_\_

**ORDER APPOINTING KINSHIP GUARDIAN  
BY CONSENT<sup>1</sup>  
(paternity not admitted)**

The court has reviewed the sworn petition for appointment of \_\_\_\_\_ [and  
\_\_\_\_\_] as kinship [guardian] [guardians] of above minor child and the consent of  
the respondents.

The court having considered the petition, **FINDS** that the court has jurisdiction and that:

1. The [petitioner is a grandparent] [petitioners are grandparents] [\_\_\_\_\_  
(state the relationship)]<sup>2</sup> of the above named child.
2. The child's mother has consented to the appointment of [a guardian] [guardians] for her child  
and the consent is filed with the court.

3. \_\_\_\_\_ (*name of respondent*) has not contested the appointment of [a guardian] [guardians] for this child and the consent is filed with the court.

4. The [petitioner] [petitioners] shall be appointed as the kinship guardians of the child.

*(Check and complete applicable alternative.)*

5. ☐ The [petitioner has] [petitioners have] not requested child support.

☐ The mother has agreed to child support as follows:

\_\_\_\_\_  
\_\_\_\_\_.

☐ The petitioners and \_\_\_\_\_ (*name of respondent*) have agreed to the following visitation: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

**IT IS SO ORDERED.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
District court judge

### **USE NOTES**

1. This form order may be used if both parents have signed a Parental Consent to Appointment of Guardian and Waiver of Service of Process.
2. See Section 40-10B-5 NMSA 1978 for persons who may file as a petitioner pursuant to the Kinship Guardianship Act. See also Civil Form 4-981 NMRA for relationship

of the petitioners.

[Provisionally approved, effective August 15, 2003 until August 31, 2004; approved, effective January 20, 2005.]